

tions 946 to 949¹ of this title, and any State is authorized to improve and occupy such reservoir sites to the same extent as an individual or private corporation, under such rules and regulations as the Secretary of the Interior may prescribe: *Provided*, That the charges for water coming in whole or part from reservoir sites used or occupied under the provisions of this section shall always be subject to the control and regulation of the respective States and Territories in which such reservoirs are in whole or part situate.

(Feb. 26, 1897, ch. 335, 29 Stat. 599.)

REPEAL OF SECTION

Section repealed by Pub. L. 94-579, title VII, § 706(a), Oct. 21, 1976, 90 Stat. 2793, effective on and after Oct. 21, 1976, insofar as applicable to the issuance of rights-of-way over, upon, under, and through the public lands and lands in the National Forest System.

REFERENCES IN TEXT

Sections 946 to 949 of this title, referred to in text, were repealed by Pub. L. 94-579, title VII, § 706(a), Oct. 21, 1976, 90 Stat. 2793, effective on and after Oct. 21, 1976, insofar as applicable to the issuance of rights-of-way over, upon, under, and through the public lands and lands in the National Forest System.

SAVINGS PROVISION

Repeal by Pub. L. 94-579, insofar as applicable to the issuance of rights-of-way, not to be construed as terminating any valid lease, permit, patent, etc., existing on Oct. 21, 1976, see section 701 of Pub. L. 94-579, set out as a note under section 1701 of this title.

§ 665. Rights of way over reservoir sites for wagon road, railroad, or other highway

In the form provided by existing law, the Secretary of the Interior may file and approve surveys and plats of any right of way for a wagon road, railroad, or other highway over and across any reservoir site when in his judgment the public interests will not be injuriously affected thereby.

(Mar. 3, 1899, ch. 427, § 1, 30 Stat. 1233.)

REPEAL OF SECTION

Section repealed by Pub. L. 94-579, title VII, § 706(a), Oct. 21, 1976, 90 Stat. 2793, effective on and after Oct. 21, 1976, insofar as applicable to the issuance of rights-of-way over, under, and through the public lands and lands in the National Forest Systems.

SAVINGS PROVISION

Repeal by Pub. L. 94-579 insofar as applicable to the issuance of rights-of-way not to be construed as terminating any valid lease, permit, patent, etc., existing on Oct. 21, 1976, see section 701 of Pub. L. 94-579, set out as a note under section 1701 of this title.

§ 666. Suits for adjudication of water rights

(a) Joinder of United States as defendant; costs

Consent is given to join the United States as a defendant in any suit (1) for the adjudication of rights to the use of water of a river system or other source, or (2) for the administration of

such rights, where it appears that the United States is the owner of or is in the process of acquiring water rights by appropriation under State law, by purchase, by exchange, or otherwise, and the United States is a necessary party to such suit. The United States, when a party to any such suit, shall (1) be deemed to have waived any right to plead that the State laws are inapplicable or that the United States is not amenable thereto by reason of its sovereignty, and (2) shall be subject to the judgments, orders, and decrees of the court having jurisdiction, and may obtain review thereof, in the same manner and to the same extent as a private individual under like circumstances: *Provided*, That no judgment for costs shall be entered against the United States in any such suit.

(b) Service of summons

Summons or other process in any such suit shall be served upon the Attorney General or his designated representative.

(c) Joinder in suits involving use of interstate streams by State

Nothing in this section shall be construed as authorizing the joinder of the United States in any suit or controversy in the Supreme Court of the United States involving the right of States to the use of the water of any interstate stream.

(July 10, 1952, ch. 651, title II, § 208(a)-(c), 66 Stat. 560.)

CODIFICATION

Section is comprised of subsections (a) to (c) of section 208 of act July 10, 1952. Subsection (d) of section 208 is omitted as it referred to the limitation on the use of any appropriation in act July 10, 1952 to prepare or prosecute the suit in the U.S. District Court for the Southern Division of California, by the *United States v. Fallbrook Public Utility Corporation*.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 16 sections 410aaa-76, 460ccc-8, 460ddd, 460iii-5, 668dd; title 28 section 2409a.

CHAPTER 16—SALE AND DISPOSAL OF PUBLIC LANDS

Sec.

671 to 687b-5. Repealed.

687c. Alaskan land leases for fur farming; citizenship; acreage limitation; period; terms and conditions; laws applicable to mineral resources; reservations.

687c-1. Execution of provisions of section 687c; authority of Secretary of the Interior.

688 to 700. Repealed.

§ 671. Repealed. Pub. L. 94-579, title VII, § 703(a), Oct. 21, 1976, 90 Stat. 2789

Section, act Mar. 3, 1891, ch. 561, § 9, 26 Stat. 1099, prohibited sale of public lands except under certain conditions.

EFFECTIVE DATE OF REPEAL

Section 703(a) of Pub. L. 94-579 provided that the repeal made by that section is effective on and after Oct. 21, 1976.

SAVINGS PROVISION

Repeal by Pub. L. 94-579 not to be construed as terminating any valid lease, permit, patent, etc., existing on

¹ See References in Text note below.

Oct. 21, 1976, see section 701 of Pub. L. 94-579, set out as a note under section 1701 of this title.

§ 672. Repealed. Dec. 16, 1930, ch. 14, § 1, 46 Stat. 1029

Section, R.S. §2353, required public lands, offered at public sale, to be offered in half quarter sections.

§§ 673 to 676. Repealed. Pub. L. 94-579, title VII, § 703(a), Oct. 21, 1976, 90 Stat. 2789

Section 673, R.S. §2354, authorized private sales of all public lands in entire, half, etc., sections.

Section 674, R.S. §2355; 1946 Reorg. Plan No. 3, §403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100, required a memorandum in connection with application for purchase of public land at private sale.

Section 675, act May 18, 1898, ch. 344, §2, 30 Stat. 418, set forth requirements for private sale of public lands in Missouri.

Section 676, R.S. §2365; 1946 Reorg. Plan No. 3, §403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100, authorized sale of public land to highest bidder at the private sale of land.

EFFECTIVE DATE OF REPEAL

Section 703(a) of Pub. L. 94-579 provided that the repeal made by that section is effective on and after Oct. 21, 1976.

SAVINGS PROVISION

Repeal by Pub. L. 94-579 not to be construed as terminating any valid lease, permit, patent, etc., existing on Oct. 21, 1976, see section 701 of Pub. L. 94-579, set out as a note under section 1701 of this title.

§ 677. Repealed. Dec. 16, 1930, ch. 14, § 1, 46 Stat. 1029

Section, R.S. §2356, related to credit on sales and payment of price.

§§ 678 to 682. Repealed. Pub. L. 94-579, title VII, § 703(a), Oct. 21, 1976, 90 Stat. 2789

Section 678, R.S. §2357, related to acreage price for public lands offered for sale.

Section 679, act June 15, 1880, ch. 227, §3, 21 Stat. 238, related to acreage price for alternate sections of railroad lands offered for sale.

Section 680, act June 15, 1880, ch. 227, §4, 21 Stat. 238, excepted former section 679 of this title from applicability to mineral lands of the United States.

Section 681, act Mar. 2, 1889, ch. 381, §4, 25 Stat. 854, related to price of forfeited railroad lands and adjacent lands.

Section 682, act Mar. 1, 1907, ch. 2286, 34 Stat. 1052, authorized sale of public lands for cemetery purposes and set forth the price for such acreage.

EFFECTIVE DATE OF REPEAL

Section 703(a) of Pub. L. 94-579 provided that the repeal made by that section is effective on and after Oct. 21, 1976.

SAVINGS PROVISION

Repeal by Pub. L. 94-579 not to be construed as terminating any valid lease, permit, patent, etc., existing on Oct. 21, 1976, see section 701 of Pub. L. 94-579, set out as a note under section 1701 of this title.

§§ 682a to 682e. Repealed. Pub. L. 94-579, title VII, § 702, Oct. 21, 1976, 90 Stat. 2787

Section 682a, acts June 1, 1938, ch. 317, §1, 52 Stat. 609; July 14, 1945, ch. 298, 59 Stat. 467; June 8, 1954, ch. 270, 68 Stat. 239, related to sale or lease of small tracts for residence, recreation, business, or community site purposes.

Section 682b, act June 1, 1938, ch. 317, §2, as added June 8, 1954, ch. 270, 68 Stat. 239, related to minimum selling price and reservation of mineral rights.

Section 682c, act June 1, 1938, ch. 317, §3, as added June 8, 1954, ch. 270, 68 Stat. 239, related to qualifications of lessees and purchasers.

Section 682d, act June 1, 1938, ch. 317, §4, as added June 8, 1954, ch. 270, 68 Stat. 240, related to sales or leases to employees of Department of the Interior stationed in Alaska.

Section 682e, act June 1, 1938, ch. 317, §5, as added June 8, 1954, ch. 270, 68 Stat. 240, related to application of sections 682a to 682e of this title to certain revested grant lands in Oregon and conditions on lease of such lands.

EFFECTIVE DATE OF REPEAL

Section 702 of Pub. L. 94-579 provided that the repeal made by that section is effective on and after Oct. 21, 1976, except such effective date to be on and after tenth anniversary of date of approval of this Act, Oct. 21, 1976, insofar as homestead laws apply to public lands in Alaska.

SAVINGS PROVISION

Repeal by Pub. L. 94-579 not to be construed as terminating any valid lease, permit, patent, etc., existing on Oct. 21, 1976, see section 701 of Pub. L. 94-579, set out as a note under section 1701 of this title.

§§ 683 to 687. Repealed. Dec. 16, 1930, ch. 14, § 1, 46 Stat. 1029

Section 683, R.S. §2364, related to minimum price for sale of public lands.

Section 684, R.S. §2358, related to authorization of President to cause public lands to be offered for sale.

Section 685, R.S. §2359, related to advertising of sale of public lands.

Section 686, act Jan. 12, 1877, ch. 18, §2, 19 Stat. 221, related to publication of all executive proclamations relating to sale of public lands.

Section 687, R.S. §2360, related to duration of sale of public lands.

§§ 687a to 687a-3. Repealed. Pub. L. 94-579, title VII, § 703(a), Oct. 21, 1976, 90 Stat. 2789

Section 687a, acts May 14, 1898, ch. 299, §10, 30 Stat. 413; Mar. 3, 1927, ch. 323, 44 Stat. 1364; May 26, 1934, ch. 357, 48 Stat. 809; Aug. 23, 1958, Pub. L. 85-725, §3, 72 Stat. 730, related to purchase rights, price and limits of acreage, and access to waterfront.

Section 687a-1, act Apr. 29, 1950, ch. 137, §5, 64 Stat. 95, related to filing of notice of claim, and effect of failure to file.

Section 687a-2, acts May 14, 1898, ch. 299, §10, 30 Stat. 413; Aug. 3, 1955, ch. 496, §2, 69 Stat. 444, related to entry on lands abutting on navigable waters.

Section 687a-3, act May 14, 1898, ch. 299, §10, 30 Stat. 413, related to multiple claimants of the same tract.

EFFECTIVE DATE OF REPEAL

Section 703(a) of Pub. L. 94-579 provided that the repeal made by that section is effective on and after tenth anniversary of date of approval of this Act, Oct. 21, 1976.

SAVINGS PROVISION

Repeal by Pub. L. 94-579 not to be construed as terminating any valid lease, permit, patent, etc., existing on Oct. 21, 1976, see section 701 of Pub. L. 94-579, set out as a note under section 1701 of this title.

§ 687a-4. Repealed. Pub. L. 94-579, title VII, § 704(a), Oct. 21, 1976, 90 Stat. 2792

Section, act May 14, 1898, ch. 299, §10, 30 Stat. 413, authorized reservation of landing places along water front

for natives of Alaska. Section was formerly classified to section 464 of Title 48, Territories and Insular Possessions.

Section was additionally repealed by Pub. L. 94-579, title VII, § 703(a), Oct. 21, 1976, 90 Stat. 2789, effective on and after the tenth anniversary of the date of approval of this Act, Oct. 21, 1976.

EFFECTIVE DATE OF REPEAL

Section 704(a) of Pub. L. 94-579 provided that the repeal made by that section is effective on and after Oct. 21, 1976.

SAVINGS PROVISION

Repeal by Pub. L. 94-579 not to be construed as terminating any valid lease, permit, patent, etc., existing on Oct. 21, 1976, see section 701 of Pub. L. 94-579, set out as a note under section 1701 of this title.

§§ 687a-5 to 687b-4. Repealed. Pub. L. 94-579, title VII, § 703(a), Oct. 21, 1976, 90 Stat. 2789

Section 687a-5, act May 14, 1898, ch. 299, § 10, 30 Stat. 413, excepted certain islands.

Section 687a-6, acts Mar. 3, 1891, ch. 561, § 13, 26 Stat. 1100; Mar. 3, 1925, ch. 462, 43 Stat. 1144; 1946 Reorg. Plan No. 3, § 403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100, related to surveys and deposits for covered lands.

Section 687b, act Aug. 30, 1949, ch. 521, § 1, 63 Stat. 679, related to Alaskan lands subject to sale for industrial, commercial, and housing construction purposes.

Section 687b-1, act Aug. 30, 1949, ch. 521, § 2, 63 Stat. 679, related to minimum selling price.

Section 687b-2, acts Aug. 30, 1949, ch. 521, § 3, 63 Stat. 679; Oct. 21, 1976, Pub. L. 94-579, title VII, § 703(d), 90 Stat. 2791, related to liability for damages caused by mining and preservation of existing rights.

Section 687b-3, act Aug. 30, 1949, ch. 521, § 4, 63 Stat. 679, related to inapplicability of certain provisions.

Section 687b-4, act Aug. 30, 1949, ch. 521, § 5, 63 Stat. 679, related to promulgation of rules and regulations.

EFFECTIVE DATE OF REPEAL

Section 703(a) of Pub. L. 94-579 provided that the repeal made by that section is effective on and after tenth anniversary of date of approval of this Act, Oct. 21, 1976.

SAVINGS PROVISION

Repeal by Pub. L. 94-579 not to be construed as terminating any valid lease, permit, patent, etc., existing on Oct. 21, 1976, see section 701 of Pub. L. 94-579, set out as a note under section 1701 of this title.

§ 687b-5. Repealed. Pub. L. 94-579, title VII, § 703(a), Oct. 21, 1976, 90 Stat. 2789

Section, Pub. L. 88-66, July 19, 1963, 77 Stat. 80, required applicability of equitable principles by Secretary of the Interior upon submission of proof of compliance with land use requirements after prescribed period. Section was formerly classified to section 364f of Title 48, Territories and Insular Possessions.

EFFECTIVE DATE OF REPEAL

Section 703(a) of Pub. L. 94-579 provided that the repeal made by that section is effective on and after Oct. 21, 1976.

SAVINGS PROVISION

Repeal by Pub. L. 94-579 not to be construed as terminating any valid lease, permit, patent, etc., existing on Oct. 21, 1976, see section 701 of Pub. L. 94-579, set out as a note under section 1701 of this title.

§ 687c. Alaskan land leases for fur farming; citizenship; acreage limitation; period; terms and conditions; laws applicable to mineral resources; reservations

The Secretary of the Interior, in order to encourage and promote development of production

of furs in the Territory of Alaska, is authorized to lease to corporations organized under the laws of the United States, or of any state or Territory thereof, citizens of the United States, or associations of such citizens, public lands of the United States in the Territory of Alaska suitable for fur farming, in areas not exceeding six hundred and forty acres, and for periods not exceeding ten years, upon such terms and conditions as he may by general regulations prescribe: *Provided*, That where leases are given hereunder for islands or lands within the same, such lease may, in the discretion of the Secretary of the Interior, be for an area not to exceed thirty square miles: *Provided further*, That nothing herein contained shall prevent the prospecting, locating, development, entering, leasing, or patenting of the mineral resources of any lands so leased under laws applicable thereto: *And provided further*, That this section shall not be held nor construed to apply to the Pribilof Islands, declared a special reservation by section 646¹ of title 16: *And provided further*, That any permit or lease issued under this section shall reserve to the Secretary of the Interior the right to permit the use and occupation of parts of said leased areas for the taking, preparing, manufacturing, or storing of fish or fish products, or the utilization of the lands for purposes of trade or business, to the extent and in the manner provided by existing laws or laws which may be enacted after July 3, 1926.

(July 3, 1926, ch. 745, § 1, 44 Stat. 821.)

REFERENCES IN TEXT

Section 646 of title 16, referred to in text, was repealed by act Feb. 26, 1944, ch. 65, § 18, 58 Stat. 104. See sections 1161, 1162, and 1167 of Title 16, Conservation.

CODIFICATION

Section was formerly classified to section 360 of Title 48, Territories and Insular Possessions.

ADMISSION OF ALASKA AS STATE

Admission of Alaska into the Union was accomplished Jan. 3, 1959, on issuance of Proc. No. 3269, Jan. 3, 1959, 24 F.R. 81, 73 Stat. c16, as required by sections 1 and 8(c) of Pub. L. 85-508, July 7, 1958, 72 Stat. 339, set out as notes preceding section 21 of Title 48, Territories and Insular Possessions.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 687c-1 of this title.

§ 687c-1. Execution of provisions of section 687c; authority of Secretary of the Interior

The Secretary of the Interior is authorized to perform any and all acts, and to make such rules and regulations as may be necessary and proper, for the purpose of carrying the provisions of section 687c of this title into effect, including provisions for the forfeiture of any lease for failure to stock the same with fur-bearing animals within a period of one year from the date of the lease, or in the event of the devotion of the lease area primarily to any purpose other than the rearing of such fur-bearing animals.

(July 3, 1926, ch. 745, § 2, 44 Stat. 822.)

¹ See References in Text note below.

CODIFICATION

Section was formerly classified to section 361 of Title 48, Territories and Insular Possessions.

§§ 688 to 700. Repealed. Pub. L. 94-579, title VII, § 703(a), Oct. 21, 1976, 90 Stat. 2789

Section 688, R.S. §2361; 1946 Reorg. Plan No. 3, §403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100, authorized issuance of multiple certificates in cases of two or more purchasers of same section of land.

Section 689, R.S. §2362, authorized refund of purchase money by the Secretary of the Interior.

Section 690, R.S. §2363, related to sources of funds for repayment.

Section 691, R.S. §2368, authorized purchase of lands located in good faith by claims arising under treaty of Sept. 30, 1854.

Section 692, R.S. §2366, authorized receipt of foreign coins in payment for purchases.

Section 693, R.S. §2369; acts Oct. 28, 1921, ch. 114, §1, 42 Stat. 208; Mar. 3, 1925, ch. 462, 43 Stat. 1145; 1946 Reorg. Plan No. 3, §403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100, related to mistakes in entry of public lands purchased at private sale.

Section 694, R.S. §2370; 1946 Reorg. Plan No. 3, §403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100, related to mistakes in issuance of patents for lands.

Section 695, R.S. §2371, related to applicability of sections 693 and 694 of this title for mistakes in location of warrants.

Section 696, R.S. §2374, prohibited agreements to pay premiums to purchasers of public lands.

Section 697, R.S. §2372; acts Feb. 24, 1909, ch. 181, 35 Stat. 645; Oct. 28, 1921, ch. 114, §1, 42 Stat. 208; Mar. 3, 1925, ch. 462, 43 Stat. 1145; May 21, 1926, ch. 353, 44 Stat. 591; 1946 Reorg. Plan No. 3, §403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100, related to errors in entry, selection or location of public lands.

Section 698, R.S. §2375, authorized recovery of premiums paid under section 696 of this title.

Section 699, R.S. §2376, authorized discovery of agreements authorizing payments under section 696 of this title.

Section 700, act Mar. 2, 1889, ch. 381, §1, 25 Stat. 854, authorized private entry onto public lands of United States only in Missouri.

EFFECTIVE DATE OF REPEAL

Section 703(a) of Pub. L. 94-579 provided that the repeal made by that section is effective on and after Oct. 21, 1976.

SAVINGS PROVISION

Repeal by Pub. L. 94-579 not to be construed as terminating any valid lease, permit, patent, etc., existing on Oct. 21, 1976, see section 701 of Pub. L. 94-579, set out as a note under section 1701 of this title.

CHAPTER 17—RESERVATION AND SALE OF TOWN SITES ON PUBLIC LANDS

Sec.

711 to 736. Repealed.

737. Unrestricted deeds for townsite lands held by Alaska natives.

738. Repealed.

§§ 711 to 715. Repealed. Pub. L. 94-579, title VII, § 703(a), Oct. 21, 1976, 90 Stat. 2789

Section 711, R.S. §2380, authorized reservation of town sites by President.

Section 712, R.S. §2381; acts Oct. 28, 1921, ch. 114, §1, 42 Stat. 208; Mar. 3, 1925, ch. 462, 43 Stat. 1145; 1946 Reorg. Plan No. 3, §403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100, authorized reserved lands to be surveyed in urban and suburban lots and their appraisalment and sale.

Section 713, R.S. §2382; acts Oct. 28, 1921, ch. 114, §1, 42 Stat. 208; Mar. 3, 1925, ch. 462, 43 Stat. 1145; 1946 Reorg. Plan No. 3, §403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100; Aug. 24, 1954, ch. 904, §1, 68 Stat. 792, related to procedure for establishment of town or city sites.

Section 714, R.S. §2383, authorized extension of limits of towns established on unsurveyed lands.

Section 715, R.S. §2384; 1946 Reorg. Plan No. 3, §403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100, authorized Secretary of the Interior to survey and plat cities or towns on the public domain where interested parties fail to file transcript maps in twelve months after establishment.

EFFECTIVE DATE OF REPEAL

Section 703(a) of Pub. L. 94-579 provided that the repeal made by that section is effective on and after Oct. 21, 1976.

SAVINGS PROVISION

Repeal by Pub. L. 94-579 not to be construed as terminating any valid lease, permit, patent, etc., existing on Oct. 21, 1976, see section 701 of Pub. L. 94-579, set out as a note under section 1701 of this title.

§ 716. Repealed. Aug. 24, 1954, ch. 904, § 2, 68 Stat. 792

Section, R.S. §2385, related to size of lots or plat varying from general rule.

§§ 717 to 728. Repealed. Pub. L. 94-579, title VII, § 703(a), Oct. 21, 1976, 90 Stat. 2789

Section 717, R.S. §2386, related to title to town lots subject to mineral rights.

Section 718, R.S. §2387; acts Mar. 3, 1891, ch. 561, §4, 26 Stat. 1097, authorized entry by town authorities of town sites in trust for occupants, under such regulations as may be prescribed by legislative authority of State or Territory in which the same may be situated.

Section 719, R.S. §2388; acts Mar. 3, 1925, ch. 462, 43 Stat. 1144; 1946 Reorg. Plan No. 3, §403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100, related to procedure for entry by town authorities of town sites in trust for occupants.

Section 720, R.S. §2389, authorized entry by town authorities of town sites in proportion to number of inhabitants.

Section 721, R.S. §2391, made void acts of trustees not in conformity to regulations alluded to in section 718 of this title.

Section 722, R.S. §2392, provided that no title was to be acquired under sections 711 to 715 and 717 to 721 of this title to any mine of gold, silver, cinnabar, or copper or to any valid mining claim or possession held under existing laws.

Section 723, R.S. §2393, provided that provisions of sections 711 to 715 and 717 to 724 of this title were not to apply to military reservations or to other reservations made by the United States prior to Mar. 2, 1867, nor to reservations for lighthouses, customhouses, mints, or other public purposes, whether held under reservation through the Land Office by title derived from the Crown of Spain or otherwise.

Section 724, R.S. §2394, authorized inhabitants of any town on public land to avail themselves of provisions of sections 718 to 720 of this title and required that they pay, in addition to minimum price of lands so entered, all costs of surveying and platting.

Section 725, act Mar. 3, 1877, ch. 113, §1, 19 Stat. 392, related to requirements as to quantity of land excluded from homestead entry in towns upon the public lands of the United States.

Section 726, acts Mar. 3, 1877, ch. 113, §3, 19 Stat. 392; Oct. 28, 1921, ch. 114, §1, 42 Stat. 208; Mar. 3, 1925, ch. 462, 43 Stat. 1145; 1946 Reorg. Plan No. 3, §403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100, authorized settlement of excess lands where a town-site exceeds maximum limits.